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Lie Down With Dogs

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SAN DIEGO
Ever since Gov. Thomas Dewey made a deal with jailed Mafioso Lucky Luciano to protect the port of New York from sabotage in World War II, a question has haunted lawmakers: When does national security take precedence over law-enforcement?

Take the case of Miguel Nassar Haro, former chief of the Directorate of Federal Security, Mexico's corrupt national police. Three years ago, a grand jury in San Diego wanted to indict him for masterminding a vast car-theft ring in California.

When Jon Standefer, a reporter for The San Diego Union, found out that the indictment was being blocked by the Justice Department in Washington, the U.S. Attorney, William Kennedy, confirmed that the C.I.A. had described Mr. Nassar Haro as "its most important source in Mexico and Central America." It was reported that the Mexican had arrested and returned a Soviet spy in the "Falcon and the Snowman" case, and had helpfully wiretapped the El Salvador guerrilla headquarters in Mexico City.

In Washington, the Justice Department went through the roof, firing the U.S. Attorney for confirming the story. Feeling secure in his Justice-C.I.A. protection, the macho police chief came to California to file a libel suit and hold a press conference; that was just a bit thick, and the Criminal Division in Washington sent word to permit the indictment since the intelligence source was blown anyhow.

Mr. Nassar Haro was arraigned and bail set at \$250,000. A messenger soon arrived with the cash in a suitcase. The Mexican skipped bail and is now a fugitive, with Mexico not about to aid in his capture and extradition.

It turns out, however, that Mr. Nassar Haro's hot-car police force was also deeply involved in the narcotics trade; when the Mexican Army raided a huge drug warehouse in Chihuahua, the guards arrested were from the Directorate of Federal Security. The anger of drug bosses at this and other intrusions into their business probably led to the murder of an investigator for the U.S. Drug Enforcement Agency.

Now that we are pressuring Mexico to clean up its law enforcement, the questions arise: Was the U.S. Government wise to block the indictment of a suspected high-level crook in the first place? Since he was likely to flee after he was finally indicted, why was no major effort made to deny bail? Why was Justice's main concern the truthful U.S. prosecutor rather than the suspected lawbreaker?

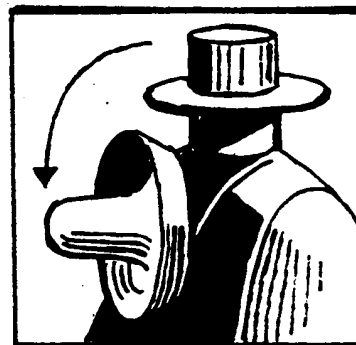
The C.I.A. tells me that the story has been misreported, that it exerted

absolutely no pressure on Justice to protect Mr. Nassar Haro, and merely responded properly to a legitimate query from the Criminal Division. Mark Richard, an old pro at the division, resolutely confirms the C.I.A. account, and explains that the indictment was originally blocked because the department wanted to be sure that no "grey-mail" — threats to expose national secrets — would be used in the defense, and to make that determination required delays.

That's possible; others say that visits by Ernest Maversfeld, then deputy general counsel of the C.I.A., to Rudolph Gulliano, then associate attorney general, took the heat off the valuable suspect and later, as part of the no-leaks hysteria, turned it on the prosecutor. I don't know enough to judge where the truth lies.

I do know this: if you lie down with dogs, you get up with fleas. No realist can deny that sometimes it may be necessary, in the national interest, to do intelligence business with thieves and thugs, but more often than not such "equities" (formerly "assets") turn out to be liabilities.

In light of the increased drug traffic across the Rio Grande, and with our enforcement officials incensed at the lax investigation by Mexican police of



the murder of a U.S. agent, both our lawmen and our spooks surely wish they had decided to press for the indictment of the corrupt cop, even if his capture was unlikely. The principle of the thing was important.

A ray of light: last week, under pressure from the United States, the Government of Taiwan indicted Vice Adm. Yuan Hsiling, one of its top intelligence officials, for the murder in the U.S. of the journalist Henry Liu. Taiwanese intelligence is more valuable than ever to us, now that Moscow has begun to court Peking; our demand that the criminal be brought to justice, no matter how helpful he may have been, shows a good regard for putting first values first. For that, perhaps we can thank the springing of Miguel Nassar Haro. □

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